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Attorneys for Defendant Kepa Maumau

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

UNITED STATES OF AMERICA,

v.

KEPA MAUMAU,

Defendant.

**SUPPLEMENTAL BRIEFING AS
ORDERED BY THE COURT DURING
THE MAY 4, 2020 RESENTENCING
HEARING**

Case No. 2:08-CR-00758-TC-11

Judge Tena Campbell

During the May 4, 2020 hearing, the Court requested supplemental briefing on its authority under 18 U.S.C. § 3582(c) to reduce Defendant Kepa Maumau's sentence to time served. To its credit, the government, while preserving its contention that there is no authority to reduce Mr. Maumau's sentence at all, concedes that if there is such authority, it includes the power to order his immediate release.

We appreciate not only the government's candor, but its timing as well. The prosecutors know our work on a brief would have extended into tonight and tomorrow; their decision to express their position this evening was a class act.

We therefore have put our pencils down. Should the Court wish us to supply it with our arguments notwithstanding the government's agreement with our position, we will be happy to finish and file the brief on short notice.

Dated: New York, New York
May 6, 2020

Respectfully submitted,

COHNE KINGHORN, P.C.

By: /s/ Patrick E. Johnson

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